

– Senate Bill 88 –

Submitted Testimony to Senate Resources Committee
23 March 2017

by

Suzanne Wood on behalf of the Mitkof Highway Homeowners Association
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1. Chair Giessel and Co-Chair Coghill and members of the Senate Resources Committee,
2. My name is Suzanne Wood. I am here today representing the Mitkof Highway Homeowners Association (MHHA), a group of 95 local residents and homeowners, located in Petersburg on Mitkof Island in Southeast Alaska. My comments pertain to Senate Bill 88.
3. The MHHA has actively supported the concept of a land exchange for the Alaska Mental Health Trust's Mitkof Highway hillside parcels since December 2005, understanding the risks to public safety from unwise timber harvest on already identified landslide prone slopes above inhabited areas.
4. Following the Trust's December 2005 public announcement to log these parcels, members of the MHHA met with the Petersburg District Ranger on 31 December 2005, requesting their help in progressing a U.S. Forest Service-Trust land exchange.
5. Both the Forest Service and Alaska's Division of Forestry independently and scientifically mapped the Trust's hillside parcels, identifying them as containing landslide hazard soils cross-slope, from 3-Mile to 7-Mile above Mitkof Highway. There have been nine (9) natural landslides crossing and closing Mitkof Highway to through traffic and emergency vehicles, damaging homeowner properties and structures, disrupting residential electrical power and communication services. These landslides occurred from October 1986 through to October 2012 [10/14/86 and 11/30/88 (two [2] threshold events on each date at two separate locations, a total of four events]); with five (5) occurring after the Trust's December 2005 public announcement to log [01/12/09; 09/20/09; 9/21-22/09; 09/23/11; and 10/28/11]].

6. The MHHA testified before the House Resources Committee on 31 March 2012. House Bill 91, a citizen's initiative to amend the Alaska Forest Practices Act (FRPA) to include public safety as it relates to timber harvest on steep and unstable slide prone slopes above inhabited areas across Alaska, like here in Petersburg. The State Forester attached a fiscal note to the bill so it did not progress out of committee. Additionally, the Board of Forestry, after 4-1/2 years of discussion on *public safety*, twice voted by unanimous consent to pass off to local zoning ordinances the State's obligation and authority to manage timber harvests within Alaska's inhabited landslide hazard areas, failing to address *public safety*. The Trust resource manager said that such redirection of authority to communities and their subsequent execution of such ordinances would be considered a *taking*, stating further that communities could be held financially accountable to the Trust for lost monetization opportunities from Trust timbered assets.

7. The MHHA continues to support the exchange of the Trust's Petersburg hillside parcels. We have a high degree of confidence in the Forest Service taking ownership of these parcels as their land management standards and guidelines recognize the liabilities associated with timber harvest to downslope neighboring landowners/homeowners, Mitkof Highway/State Highway #7, and the multi-million dollar Tyee hydroelectric utility transmission corridor. This land exchange would also eliminate the potential for risks of accelerated soil mass movement following Trust timber harvest, especially on slopes that have proven repeatedly to be demonstrably unstable in their natural state. A land exchange would eliminate associated risks to the Trust corpus from injury, death, or property damage following timber harvest.

8. These large timbered stands of Tongass rain forest old growth have, since issuance of Federal land and homesite patents in the early 1900s, provided a wide range of recreational opportunities including hiking, hunting, skiing, horseback riding, and more recently snowboarding and snowmobiling. These hillside parcels are included in Alaska's designated Scenic Byways.

9. The MHHA's efforts to stop the Trust's various Best Interest Decision efforts (MHT 9100411 - Negotiated Timber Sale [7 December 2005]; MHT 9100528 -

Competitive Land Sale [1 May 2007]; and MHT 9100855 - P-1 Timber Sale [11 August 2016]) whether for timber harvest or outright land sale to a timber broker now span 11 years and three months, with expenses exceeding \$130,000.

10. The MHHA supports Senate Bill 88 which states as one of its purposes, that of preserving land adjacent to communities, including Petersburg—that being the timbered lands above our homes and property from 3-Mile to 7-Mile Mitkof Highway (State Highway #7), and the Tyee hydroelectric utility corridor.

11. Thank you for this opportunity to provide testimony.

12. Respectfully,
Suzanne Wood
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